

**BEFORE THE ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI**

DOUGLAS M. OMMEN, Director)
Department of Insurance, Financial Institutions and)
Professional Registration,)
State of Missouri,)

Petitioner,)

v.)

Case No. _____

CHRISTY JOHN,)
Serve at:)
13630 S. Sycamore Street)
Olathe, KS 66062)
(913) 980-3191)

Respondent.)

COMPLAINT

Douglas M. Ommen, Director, Missouri Department of Insurance, Financial Institutions and Professional Registration, for his Complaint against Respondent, states as follows:

INFORMATION RELEVANT TO ALL COUNTS

1. Petitioner is the Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (hereinafter "Department" or "Director") whose duties, pursuant to Chapter 375, RSMo, include the supervision, regulation and discipline of insurance producers.

2. Respondent Christy John (hereinafter, "Respondent") was issued an insurance producer license by the Director, number PR257103, which is currently in good standing.

3. This Commission has jurisdiction over this Complaint pursuant to § 621.045, RSMo.

Count I

4. Respondent has improperly withheld, misappropriated or converted money or properties received in the course of doing insurance business, a ground for discipline under §375.141.1(4), RSMo, (Cum. Supp. 2006).

5. The facts are as follows:

a. On or about August 22, 2006, Respondent received funds, namely approximately \$693.38, from Wendy Townsend, and

b. On or about February 8, 2006, Respondent received funds, namely approximately \$301.52, from Kirk Shelton, and

c. On or about January 11, 2006, Respondent received funds, namely approximately \$1,131.71, from Clinton Kelly, and

d. On or about November 25, 2006, Respondent received funds, namely approximately \$677.00, from Alfred Burton, and

e. On or about November 22, 2005, Respondent received funds, namely approximately \$139.00, from Donna Piggie, and

f. Such funds belonged to an insurance company, namely American Family Insurance Group, and

g. Respondent improperly withheld or misappropriated such funds to her own use or diverted such funds for a use other than that intended.

h. Townsend, Shelton, Kelly, Burton, and Piggie were all without insurance for a period of time without their knowledge.

Count II

6. Respondent has violated a regulation of the director, a ground for discipline under § 375.141.1(2), RSMo (Cum. Supp. 2006).

7. The facts are as follows:

a. Petitioner realleges and incorporates herein by reference all of the allegations contained in paragraphs 1 through 5 of this Complaint, and

b. In each of the cases set forth in paragraphs 1 through 5 of this Complaint, the funds received by Respondent were insurance premium payments associated with a personal insurance policy of the insured and in each such case Respondent knowingly failed to remit the premium payment to the insurer within thirty days of receiving the payment, as required by 20 CSR 700-1.140(2)(D), and

c. Respondent thereby violated 20 CSR 700-1.140(2)(D).

Count III

8. Respondent has used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere, a ground for discipline under § 375.141.1(8), RSMo (Cum. Supp. 2006) and 375.141.1(4), RSMo (2000).

9. The facts are as follows:

a. Petitioner realleges and incorporates herein by reference all of the allegations contained in paragraphs 1 through 7 of this Complaint, and

b. In each of the cases set forth in paragraphs 1 through 7 of this Complaint, the insured was without insurance coverage until the insurer learned about Respondent's failure to remit the premium payment, and

c. Respondent has admitted issuing false insurance identification cards on numerous occasions. Respondent has admitted failing to forward numerous insurance applications to the insurer for more than thirty (30) days. Respondent has admitted demonstrating financial irresponsibility in managing her insurance premium trust bank account for a period in excess of two (2) years.

WHEREFORE, Petitioner requests that this Commission find cause to discipline the insurance producer license of Respondent.

Respectfully submitted,

DOUGLAS M. OMMEN, Director
Missouri Department of Insurance, Financial
Institutions and Professional Registration

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